

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made and entered by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **ALL TRAFFIC DATA SERVICES, LLC**, a Colorado limited liability company, whose address is 9660 W 44th Ave, Wheat Ridge, CO 80033 (the “Consultant”), jointly (“the Parties”).

RECITALS:

A. The Parties entered into an Agreement dated January 7, 2021 (the “Agreement”) for the performance of certain work set forth in that Agreement and Exhibit A.

B. The Parties wish to amend the Agreement to extend the Term, and to make such other amendments herein set forth.

NOW THEREFORE, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. All references to “Exhibit B” in the Agreement shall be amended to read: “Exhibit B and Exhibit B-1”. Exhibit B-1 is attached hereto and incorporated herein by this reference.

2. Section 4 of the Agreement entitled **TERM AND TERMINATION** Sub-section 4.01 entitled **Term** is amended to read as follows:

“**4.01. Term.** The term of this Agreement shall commence on January 15, 2021 and shall expire on January 14, 2026, unless sooner terminated or extended by written amendment. The Consultant shall complete any task orders in progress as of the expiration date of this agreement and the term will extend until the work is completed or earlier terminated by the Director. The term of this agreement may be extended for one additional year at the City’s sole discretion by written amendment.”

3. Section 6 of the Agreement entitled **GENERAL PROVISIONS** Sub-section 6.06 entitled **No Discrimination in Employment** is hereby deleted in its entirety and replaced with:

“**6.06. No Discrimination in Employment:** In connection with the performance of work under the Agreement, the Contractor may not refuse to hire, discharge, promote, demote, or discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, ethnicity, citizenship, immigration status, gender, age, sexual orientation, gender

identity, gender expression, marital status, source of income, military status, protective hairstyle, or disability. The Contractor shall insert the foregoing provision in all subcontracts.”

4. Section 6 of the Agreement entitled **GENERAL PROVISIONS** Sub-section 6.19 of the Agreement entitled **No Employment of Illegal Aliens to Perform Work Under the Agreement** is hereby deleted in its entirety.

5. As herein amended, the Agreement is revived, affirmed, and ratified in each and every particular.

6. This Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]
[SIGNATURE PAGES FOLLOW]

Contract Control Number: DOTI-202369435-01 [2020566569-01]
Contractor Name: ALL TRAFFIC DATA SERVICES, LLC

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

SEAL

CITY AND COUNTY OF DENVER:

ATTEST:

By:

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

Attorney for the City and County of Denver

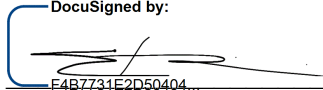
By:

By:

By:

Contract Control Number:
Contractor Name:

DOTI-202369435-01 [2020566569-01]
ALL TRAFFIC DATA SERVICES, LLC

By:  DocuSigned by:
E4B7731E2D50404...

Name: Eric Boivin
(please print)

Title: CEO
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

Exhibit B-1

CONSULTANT TEAM MEMBERS

Firm Name: All Traffic Data Services, LLCCategory: Data Collection

List **ALL** potential firm personnel titles/classifications that may be utilized under the Agreement, and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager).

Title/Classification	Responsibilities	Rate/Hr.
Project Manager/Data Manager	Provide data collection scope and services needed with costs, schedule data collection, review collected data, submit final reports and invoice.	\$ 82.50/Hr
Data Processor/Field Manager	Process field data, check for accuracy and produce applicable reports.	\$ 75.00/Hr
Technician	Place equipment in the field to collect accurate data	\$62.50/Hr

Multiplier, which when multiplied by the direct labor rate yields the above hourly billing rate: 1.0

All reimbursable expenses are subject to the review and approval of the City. The additional expenses of the Consultant reimbursable by the City shall include:

- (1) Mileage: Reimbursable at the current IRS Business Rate ONLY when Consultant is required to drive to a project located outside the City and County of Denver Boundary.
- (2) Actual cost of reproducing and printing reports, drawings, specifications and other work products, and the associated cost for shipping and handling. These reimbursable expenses pertain only to requests made to the Consultant from the City, and exclude intra-office printing, scanning and reproduction required by the Consultant to complete the work.
- (3) Actual cost for expendable supplies and services not normally used on a routine or normal basis in an architectural or engineering office (i.e. aerial photography) and which are provided especially under this Agreement for the benefit of the City.

Exhibit B-1**SUB TEAM MEMBERS**Sub: OV Consulting

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal	Project Management, Transportation Management, Mobility Planning, Design, Strategic Outreach	\$200
Project Manager	Project Management, Transportation & Urban Planning, Transportation Engineering	\$170
Senior Engineer	Transportation & Urban Engineering	\$165
Engineer II	Transportation & Urban Engineering	\$140
Engineer I	Transportation & Urban Engineering	\$125
Senior Planner	Transportation & Urban Planning	\$145
Planner II	Transportation & Urban Planning	\$130
Planner I	Transportation & Urban Planning	\$120
Planning Analyst	Analysis	\$95
GIS Analyst	GIS, Data Review	\$95
Graphic Designer	Graphic design, meeting materials, web-based materials	\$90
CAD Technician	CAD Drafting	\$90
Clerical/Administrative	Word processing & administrative organization	\$70
Data Collection Technician	Collect field data	\$40
Intern	Varying support tasks	\$35

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

Exhibit B-1

REIMBURSABLE EXPENSES

Sub: OV Consulting

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$ <u>0.20</u> / each Black/White, \$1.00 each Color
Copies (11 x 17")	\$ <u>2.00</u> / each
Large format plotter prints	\$ <u>6.00</u> / S.F.
Reproducibles	\$ <u>1.00</u> / page

Exhibit B-1**SUB TEAM MEMBERS**Sub: Peters and Yaffee, Inc.

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal Engineer	PE with 20+ years of post registration experience. Will perform as an oversight role (over resources and team).	\$336.00
Chief Engineer	PE with 20+ years of post registration experience. Will perform as a technical discipline oversight role.	\$249.62
Senior Engineer	PE with 15+ years of post registration experience. Individual is not discipline lead – in production role.	\$204.40
Project Engineer 2	PE with 5+ years of post registration experience.	\$189.49
Project Engineer 1	PE with 0+ years of post registration experience.	\$147.65
Engineering Intern	Entry level w/ engineering degree; EI License required. Will perform preliminary engineering and production support.	\$121.12
Engineering Tech.	Entry level, with 0-4 years of experience. Will perform preliminary production support.	\$102.71
Senior Designer	15+ years of design experience, non-registered. Will perform final production support.	\$118.95
Design Intern	Enrolled in BSCE. Will perform preliminary production support.	\$70.40

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

Exhibit B-1

REIMBURSABLE EXPENSES

Sub: Peters and Yaffee, Inc.

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$ 0 / each
Copies (8 1/2 x 14")	\$ 0 / each
Red-line copies	\$ 0 / S.F.
Reproducibles	\$ 0 / page

Exhibit B-1

SUB-CONSULTANT TEAM MEMBERS

Firm Name: SM Rocha, LLCCategory: Data Collection

List **ALL** potential firm personnel titles/classifications that may be utilized under the Agreement, and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager).

Title/Classification	Responsibilities	Rate/Hr.
Principal	Top level person responsible for day to day operation. Completes high-level engineering work and supervision.	\$210.00
Senior Engineer/ Planner	PE with responsibility for technical performance on projects of varying size and complexity.	\$150.00
Project Manager	Plans and coordinates projects to ensure goals and objectives are accomplished on time and within budget.	\$140.00
Engineer/ Planner	PE working under general supervision performing skilled engineering work.	\$125.00
Designer	Performs engineering work using standard techniques and procedures. Typically has EIT certification.	\$ 100.00
Technician/CAD	Prepares CADD layouts, drawings and designs following engineering specifications.	\$ 85.00
Administrative/ Clerical	Manages and organizes office operations, book keeping, payroll and other clerical services.	\$ 70.00

Multiplier, which when multiplied by the direct labor rate yields the above hourly billing rate: 1.0

All reimbursable expenses are subject to the review and approval of the City. The additional expenses of the Consultant reimbursable by the City shall include:

- (1) Mileage: Reimbursable at the current IRS Business Rate ONLY when Consultant is required to drive to a project located outside the City and County of Denver Boundary.
- (2) Actual cost of reproducing and printing reports, drawings, specifications and other work products, and the associated cost for shipping and handling. These reimbursable expenses pertain only to requests made to the Consultant from the City, and exclude intra-office printing, scanning and reproduction required by the Consultant to complete the work.
- (3) Actual cost for expendable supplies and services not normally used on a routine or normal basis in an architectural or engineering office (i.e. aerial photography) and which are provided especially under this Agreement for the benefit of the City.

Exhibit B-1**SUB TEAM MEMBERS**

Sub: Stolfus & Associates, Inc.

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal	Directs all aspects of firm's operations	\$264
Professional Engineer 5	P.E. Licensed Project Engineer/Manager with over 20 years of experience with major responsibility for technical performance and project management depending on specific assignments.	\$231
Professional Engineer 3	P.E. Licensed Project Engineer/Manager with over 10 years of experience with responsibility for technical performance and project management depending on specific assignments.	\$210
Professional Engineer 2	P.E. Licensed Project Engineer with over 7 years of experience with responsibility for technical performance on projects.	\$183
Professional Engineer 1	P.E. Licensed Project Engineer with over 5 years of experience working under general supervision.	\$166
Engineering Intern 3	Entry-level engineer with 4 or more years of experience performing engineering assignments under the guidance of experienced engineers.	\$150
Engineering Intern 2	Entry-level engineer with 2 or more years of experience performing engineering assignments under the guidance of experienced engineers.	\$145
Engineering Intern 1	Entry-level engineer performing engineering assignments under the guidance of experienced engineers.	\$140
Engineering Student Intern	Project assignments under direction of engineering professionals.	\$84
Office Manager	Responsible for administrative aspect of support work.	\$113
Staff Accountant	Responsible for accounting, job cost, government compliance, and financial systems.	\$113
Administrative Assistant	Performs routine clerical/office support work.	\$86

Exhibit B-1

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

Exhibit B-1

REIMBURSABLE EXPENSES

Sub: Stolfus & Associates, Inc.

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

Mileage at IRS Business Rate
Outside reproduction at cost
Other expenses at cost

Exhibit B-1**SUB TEAM MEMBERS**Sub: YY2K Engineering LLCK Engineering, LLC

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Project Principal	Transp. Planning & Engineering, Project Management	240.00
Sr. Professional IIr. Professional II	Subject Matter Expert, Transp. Planning & Engineering	235.00
Sr. Professional Ir. Professional I	Subject Matter Expert, Transp. Planning & Engineering	210.00
Professional	Subject Matter Expert, Transp. Planning & Engineering	190.00
Project Manager – Sr. Project Manager	Transp. Engineering and Project Management	215.00
Sr. Project Manager	Civil Engineering and Project Management	190.00
Engineer IV	Transportation Engineering, Project Management	205.00
Engineer III	Transportation Engineering, Project Management	190.00
Engineer II	Transportation Engineering, Project Management	175.00
Engineer I	Transportation Engineering	160.00
Programmer	Software Programming	190.00
Transportation Planner IV	Transportation Planning, Project Management	190.00
Transportation Planner III	Transportation Planning, Project Management	165.00
Transportation Planner II	Transportation Planning	140.00
Transportation Planner I	Transportation Planning	125.00
Designer III	Designer, CAD, GIS, and Analysis Support Work	140.00
Designer II	Designer, CAD, GIS, and Analysis Support Work	130.00
Designer I	Designer, CAD, GIS, and Analysis Support Work	120.00

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

Exhibit B-1

REIMBURSABLE EXPENSES

Sub: YY2K Engineering LLCK Engineering, LLC

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$ <u>none</u> / each
Copies (8 1/2 x 14")	\$ <u>none</u> / each
Red-line copies	\$ <u>none</u> / S.F.
Reproducibles	\$ <u>none</u> / page